

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Rejection of claim 1 under 35 U.S.C. § 102(e)

Claim 1 presently stands rejected as being anticipated by Japan 2000-28123 (JP '123). This rejection is respectfully traversed for the following reasons.

In accordance with the present invention as defined in claim 1, an extension member is provided at a washer tub, the extension member extending *backward* from a top rear portion of the washer tub, and, when the *washer tub is fully extracted* from a main body, an *inner rear wall* of the washer tub is located in *front of a front end* of the main body, and a free end of the extension member is placed under a lid. In this case, since top of an entire basket in the washer tub is exposed without blockage, the process of charging and discharging the dishware into and from the basket can be carried out easily.

It is respectfully submitted that JP '123 does not disclose or suggest a washer tub having an extension member extending backward from a top rear portion of the washer tub, such that when the washer tub is fully extracted from the main body, an *inner rear wall* of the washer tub is located in *front of a front end* of the main body.

"A claim is anticipated *only if each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). "The *identical invention* must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Japan'123 discloses a dishwasher, wherein an extension member extends from a top rear portion of the washer tub. However, inner rear wall of the washer tub is *not* located in front of a front end of the main body when the washer tub is fully extracted

from a main body. Instead, as clearly shown in Figs. 1 and 2 of JP '123, the rear wall of the washer tub *remains inside* the main body, and remains below and *to the rear of* a front end portion of the main body when the washer tub is fully extracted from the main body.

Accordingly, JP '123 still suffers from drawbacks described in the present invention. That is, it is rather difficult to charge and discharge the dishware in and from the rear section of the washer tub, as at least a rear part of the washer tub is obscured or blocked by the main body.

It is respectfully submitted that, for at least these reasons, JP '123 does not disclose or suggest each and every limitation set forth in claim 1 of the present application, and therefore cannot anticipate claim 1, or claim 2 which depends from claim 1. Accordingly, withdrawal of the rejection is respectfully submitted.

Rejection of claim 2 under 35 U.S.C. § 103(a)

Claim 2 presently stands rejected as being unpatentable over Japan 2000-28123 (JP '123). This rejection is respectfully traversed for the following reasons.

As discussed above, JP '123 does not disclose or suggest each and every limitation set forth in claim 1 of the present application, and therefore does not disclose or suggest each and every limitation of claim 2 which depends from claim 1. Accordingly, withdrawal of the rejection is respectfully submitted.

New claims 3 and 4

The Applicant has newly added claims 3 and 4 which recite additional novel and non-obvious aspects of the present invention. No new matter is added.

Claim 3 defines a dishwasher, wherein as the tub is being retracted, the extension member guides the washer tub to a tub accommodation position without being hindered by a front upper end and/or front bottom end of the lid (as supported by page 14, from line 13 to line 17). As was discussed in connection with the rejection of claim 1 above, since there is no disclosure or suggestion of at least the above positively recited feature, it is respectfully submitted that claim 3 should be allowed.

Claim 4 defines a dishwasher, wherein the extension member blocks a space behind the washer tub, within the main body. In case the washer tub is extracted from the main body and the washer tub is heavily loaded with dishes, its rear section and front section tend to be lifted and lowered, respectively (as supported by from page 13 line 25 to page 14 line 2). Therefore, the extension member having a plate shape serves to prevent a gap from opening, thereby blocking the parts, such as an electric pump or motors, provided in a space behind the washer tub. As was discussed in connection with the rejection of claim 1 above, since there is no disclosure or suggestion of at least the above positively recited feature, it is respectfully submitted that claim 4 should be allowed.

Conclusion

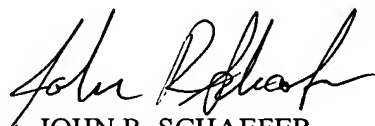
In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-4 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Schaefer", is written over the typed name.

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